

2003 DRAFTING REQUEST

Assembly Amendment (AA-AR3)

Received: **01/27/2003**

Received By: **pdykman**

Wanted: **01/28/2003**

Identical to LRB:

For: **Robert Ziegelbauer (608) 266-0315**

By/Representing: **Luanne Kostelic**

This file may be shown to any legislator: **NO**

Drafter: **pdykman**

May Contact:

Addl. Drafters:

Subject: **Legislature - rules**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Ziegelbauer@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

The vote on bills that would increase certain tax rates or broaden the base of the state sales tax

Instructions:

See Attached based upon 2003 AJR 6

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	pdykman 01/27/2003	kgilfoy 01/27/2003	jfrantze 01/28/2003	_____	sbasford 01/28/2003	sbasford 01/28/2003	

FE Sent For:

<END>

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1?	pdykman	1-1/27 Kmp	1-1/28	Self 1/28			

FE Sent For:

<END>

2003 ASSEMBLY JOINT RESOLUTION 6

January 22, 2003 – Introduced by Representative ZIEGELBAUER. Referred to Committee on Government Operations and Spending Limitations.

1 **To amend** section 8 of article VIII; and **to create** section 8 (3) of article VIII of the
2 constitution; **relating to:** the vote on bills that would increase certain tax rates
3 or broaden the base of the state sales tax (first consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 2003 legislature on first consideration, requires a two-thirds vote in each house of the legislature to pass a bill to broaden the base or increase the rate of the state sales tax or to increase any of the rates of the income tax or franchise tax.

A proposed constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

4 **Resolved by the assembly, the senate concurring, That:**

5 **SECTION 1.** Section 8 of article VIII of the constitution is amended to read:

6 [Article VIII] Section 8 (1) On the passage in either house of the legislature of
7 any law which that imposes, continues or renews a tax, or broadens the base or
8 increases the rate of the state sales tax or increases any of the rates of the income
9 tax or franchise tax, or creates a debt or charge, or makes, continues or renews an

1 appropriation of public or trust money, or releases, discharges or commutes a claim
2 or demand of the state, the ~~question vote~~ shall be taken by yeas and nays, which shall
3 ~~be duly ayes and noes, and the names of the members voting for, and the names of~~
4 ~~the members voting against, passage of the bill shall be entered on the journal; and.~~

5 (2) For any vote under sub. (1), three-fifths of all the members elected to such
6 the current membership of each house shall ~~in all such cases be required to constitute~~
7 a quorum therein.

8 **SECTION 2.** Section 8 (3) of article VIII of the constitution is created to read:

9 [Article VIII] Section 8 (3) The passage in either house of the legislature of any
10 law to broaden the base or increase the rate of the state sales tax or to increase any
11 of the rates of the income tax or franchise tax requires the approval of two-thirds of
12 the members present.

13 **SECTION 3. Numbering of new provision.** The new subsection (3) of section
14 8 of article VIII of the constitution created in this joint resolution shall be designated
15 by the next higher open whole subsection number in that section in that article if,
16 before the ratification by the people of the amendment proposed in this joint
17 resolution, any other ratified amendment has created a subsection (3) of section 8 of
18 article VIII of the constitution of this state. If one or more joint resolutions create
19 a subsection (3) of section 8 of article VIII simultaneously with the ratification by the
20 people of the amendment proposed in this joint resolution, the subsections created
21 shall be numbered and placed in a sequence so that the subsections created by the
22 joint resolution having the lowest enrolled joint resolution number have the numbers
23 designated in that joint resolution and the subsections created by the other joint
24 resolutions have numbers that are in the same ascending order as are the numbers
25 of the enrolled joint resolutions creating the subsections.

Be it further resolved, That this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for 3 months previous to the time of holding such election.

(END)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBa0025/1

PJD:.....
kmg

ASSEMBLY AMENDMENT ,
TO 2003 ASSEMBLY RESOLUTION 3

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1 At the locations indicated, amend the resolution as follows:

2 ✓ 1. Page 4, line 23: after that line insert:

3 "SECTION 7m. ✓ Assembly rule 48 (3) is created to read:

4 CS
5 (Assembly Rule 48 (3) (a) On the passage in the assembly of any law that
6 imposes, continues, or renews a tax, or broadens the base or increases the rate of the
7 state sales tax or increases any of the rates of the income tax or franchise tax, or
8 creates a debt or charge, or makes, continues, or renews an appropriation of public
9 or trust money, or releases, discharges, or commutes a claim or demand of the state,
10 the vote shall be taken by ayes and noes, and the names of the members voting for,
11 and the names of the members voting against, passage of the bill shall be entered on
12 the journal.

13 (b) For any vote under par. (a), ✓ three-fifths of the current membership of the
assembly shall constitute a quorum.

1 (c) The passage of any law to broaden the base or increase the rate of the state
2 sales tax or to increase any of the rates of the income tax or franchise tax requires
3 the approval of two-thirds of the members present.”.

4 ✓ **2.** Page 5, line 21: after that line insert:

5 “SECTION 10m. Assembly rule 62 (7) is amended to read:

6 ASSEMBLY RULE 62 (7) Appeals are debatable and, except for appeals relating
7 to rule 48 (3), are decided by a majority of the members present and voting on a roll
8 call vote. Appeals relating to rule 48 (3) are decided by a two-thirds majority of the
9 members present and voting on a roll call vote. The presiding officer may vote on
10 appeals.”.

11 ✓ **3.** Page 6, line 2: after that line insert:

12 “SECTION 11m. Assembly rule 89 (intro.) is amended to read:

13 ^{CS}
14 Assembly Rule 89. Changing assembly rules. (intro.) Assembly rules,
15 except rule 48 (3), may be rescinded or changed only with the approval of a majority
16 of the current membership by roll call vote. Rule 48 (3) may be rescinded or changed
17 only with the approval of two-thirds of the current membership by roll call vote.”.

(END)